

FILED
U. S. DISTRICT COURT
EASTERN DISTRICT OF TEXAS

COURT FOR THE EASTERN DISTRICT
OF TEXAS BEAUMONT, TEXAS DIVISION

JUN - 5 2019

BY

DEPUTY

CIVIL ACTION NO. 1:19-CV-60

Jason Christian Varner 1679158
Mark W. Stiles Unit
3060 FM 3514
Beaumont, TX 77705

V5

LORIE DAVIS,
TDCS DIRECTOR

PETITIONER'S MOTION TRANSFER OF VENUE

NOW COMES THE PETITIONER JASON VARNER #1679158 in the 28 U.S.C § 2254 CIVIL ACTION NO. in the ABOVE NUMBERED CAPTION WITH A MOTION FOR CHANGE OF VENUE WITH A GOOD CAUSE SHOWING IN THE BELOW NUMBERED CAPTION.

I.

VENUE IN A CIVIL RIGHTS ACTION IS DETERMINED PURSUANT TO 28 U.S.C. § 1391(b). When, as in this case, jurisdiction is not founded solely on citizenship.

II.

IN THE ALTERNATIVE, THE COURT SHOULD TRANSFER VARNER'S Federal Petition TO THE SOUTHERN DISTRICT OF TEXAS, HOUSTON, DIVISION, SECTION 2241(d) ESTABLISHES THAT:

THE DISTRICT COURT FOR THE DISTRICT WHEREIN SUCH AN APPLICATION IS FILED IN THE EXERCISE OF ITS DISCRETION IN FURTHERANCE OF JUSTICE MAY TRANSFER THE APPLICATION TO THE OTHER DISTRICT COURT FOR HEARING AND DETERMINATION.

28 U.S.C. § 2241(d). Hence, in the OF JUSTICE, THIS COURT MAY TRANSFER VARNER'S Federal petition TO THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION, IN WHICH HIS HOLDING CONVICTION AROSE. ACCORDINGLY, THE PETITIONER MOVES THIS COURT TO EXERCISE ITS DISCRETION IN TRANSFERRING VARNER'S Petition TO THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION.

III.

IN A PREVIOUS 28 U.S.C. 2254 Petition BY VARNER IN THE WESTERN DISTRICT COURT, SAN ANTONIO DIVISION IN CAUSE NO. 5:18-CV-00652-DAE-HJB BY A.D.S. DISTRICT Judge Recommendation VARNER'S CASE WAS TRANSFERRED TO THE U.S. DISTRICT COURT OF HOUSTON, DIVISION. BY A PREVIOUS U.S. DISTRICT Judge's DISCRETION THE PETITIONER VARNER REQUEST THE COURT IN THE ABOVE ACTION CAUSE NO. GRANT A CHANGE OF VENUE.

CONCLUSION

THE U.S. DISTRICT COURT IS OVER BURDEN WITH AN EXCESSIVE AMOUNT OF CIVIL ACTIONS WHICH CAUSES DELAYS IN THE PROCEEDINGS WHICH RESULTS IN A MISCARRIAGE IN JUSTICE IN CASES SUCH AS THIS ONE BECAUSE VARNER DISCHARGE RELEASE DATE IS NEXT YEAR AND THE ISSUES OF THE INSTANT FEDERAL Petition MAY NOT BE RESOLVED SO A CHANGE OF VENUE WOULD BE PROPER TO PROTECT VARNER'S CONSTITUTIONAL RIGHT.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT, TEXAS DIVISION

Jason Christian Varner 1679158
Stiles Unit Petitioner,
3060 FM 3514
Beaumont, TX 77705

CIVIL ACTION-CV-60

vs.

LORIE DAVIS, DIRECTOR,
T.D.C.S. CORRECTIONAL
INSTITUTIONS DIVISION,
Respondent,

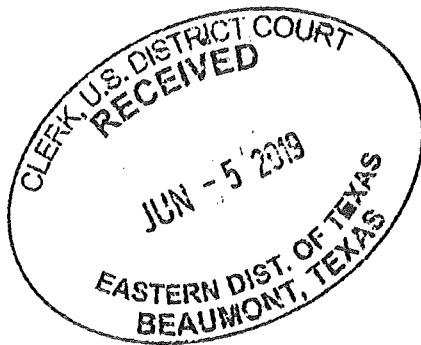
PETITIONER'S ORDER GRANTING MOTION FOR CHANGE OF VENUE

The PETITIONER JASON VARNER #01679158 MOTION FOR CHANGE OF VENUE IS HEREBY GRANTED BY THE UNDERSIGNED PRESIDING JUDGE SIGNATURE AND THE COURT CLERK IS (ORDERED) TO TRANSFER THE INSTANT 28 U.S.C. 1254 IN THE ABOVE NUMBERED CAPTION TO THE U.S.D.C. FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON, TEXAS DIVISION.

IT IS SO ORDERED;

SIGNED ON THIS THE _____ DAY OF _____, 2019.

PRESIDING JUDGE.



Jason Christian Varner
1679158
Mark W. Stiles Unit
3060 FM 3514
Beaumont, TX 77705

v.

LORIE DAVIS
TDCS DIRECTOR,

civil action NO. 1:19-CV-60

WRITTEN NOTICE REQUEST

NOW COMES THE PETITIONER JASON VARNER #1679158 WITH A WRITTEN NOTICE REQUEST TO THE U.S. DISTRICT COURT CLERK REQUESTING ASSISTANCE WITH THE EXISTING ISSUES IN THE BELOW NUMBERED CAPTION TO HAVE SERVICE ACCOMPLISHED.

(RETURN SERVICE REQUESTED)

I. CAN THE COURT CLERK SEND THE (STATUS DOCKET FORM) ON THE DISPOSITION OF THE (WRITTEN OBJECTION-FILED) IN CAUSE NO. 1:19-CV-199.


II. THE PETITIONER WOULD LIKE TO KNOW THE CURRENT DISPOSITION OF CIVIL ACTION NO. 1:19-CV-60 - MOTION FOR CHANGE OF VENUES

III. THE PETITIONER LIKE TO KNOW THE OR THAT (2) MOTION FOR CHANGE OF VENUES HAVE BEEN ENTERED THAT IS BEING ENTERED WITH THIS REQUEST THE FOREGOING INSTRUMENT GOING TO THE FOREGOING ADDRESS:

DISTRICT CLERK
U.S. DISTRICT COURT
FOR THE EASTERN DISTRICT
OF TEXAS, BEAUMONT, DIVISION
300 WILLOW STREET, SUITE 104
BEAUMONT, TEXAS
77701-2217

Signed on the 3RD DAY OF JUNE, 2019.

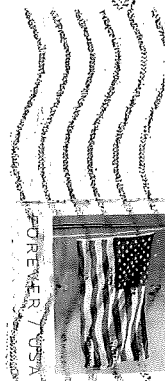
Respectfully Submitted,


JASON CHRISTIAN VARNER
#1679158
STILES UNIT
3060 FM 3514
BEAUMONT, TEXAS
77705

JASON C. VARNER #1679158
STILES UNIT
3060 FM 3514
BEAUMONT, TX
77705

NORTH HOUSTON TX 77060

JUN 20 2019 11:31



DISTRICT CLERK
UNITED STATES DISTRICT COURT
300 WILLOW STREET, SUITE 104
BEAUMONT, TEXAS
77701-2217

77701-2217

(ALLEGAC*)